

SEP 27 2005

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of

September 27, 2005

DONALD J. LEWIS, KEVIN R. CARLSTROM,  
STANLEY L. BOWER, JR., and STEPHEN L. HAHN

Serial No. : 10/757,873

Group Art Unit: 3748

Filed : January 14, 2004

Examiner: Binh Tran

For : SYSTEM AND METHOD FOR DETERMINING SET POINT  
LOCATION FOR OXIDANT-BASED ENGINE AIR/FUEL  
CONTROL STRATEGYINFORMATION DISCLOSURE STATEMENT  
UNDER 37 C.F.R. §§ 1.56, 1.97, 1.98

Sir:

In compliance with the duty of disclosure under 37 C.F.R. §§ 1.56, 1.97, and 1.98, the following patents, publications, applications, and/or other information are being submitted and disclosed to the Office, including those listed on the enclosed Form PTO-1449, for consideration by the Examiner.

Applicants respectfully request that the disclosed information be made of record and expressly considered by the Examiner during examination of the pending application. Further, Applicants respectfully request that the disclosed items be listed on the face of any patent issuing from the pending application in the "references cited" column.

In accordance with 37 C.F.R. § 1.97 (g), the present information disclosure statement is not a representation that a search has been made.

In accordance with 37 C.F.R. § 1.97 (h), the present information disclosure statement is not an admission that the information cited in the statement is, or is considered to be, material to patentability.

In accordance with MPEP § 609, Applicants respectfully request that if the present application is a continuing application, all information considered by the Office in the parent application be considered in the present application, although it need not be listed on the face of the patent unless resubmitted in this or another information disclosure statement filed in this application.

Finally, the present information disclosure statement is not an admission that the information cited in the statement is, or is considered to be, prior art.

Page 1 – INFORMATION DISCLOSURE STATEMENT  
Serial No. 10/757,873; Record ID 81096424

**BASIS FOR CONSIDERATION BY THE OFFICE UNDER 37 C.F.R. § 1.97****☒ 37 C.F.R. § 1.97(c)**

The present information disclosure statement is being filed, to the best of Applicants' knowledge and belief, before the mailing of any of: a final action under 37 C.F.R. § 1.113, a notice of allowance under 37 C.F.R. § 1.311, or an action that otherwise closes prosecution in the application.

☐ Applicants certify that each item of information contained in the information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of the information disclosure statement.

☐ Applicants certify that no item of information contained in the information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the person signing the statement after making reasonable inquiry, no item of information contained in the information disclosure statement was known to any individual designated in 1.56(c) more than three months prior to the filing of the information disclosure statement.

OR

☐ A check in the amount of \_\_\_\_\_ is enclosed.

☒ Please charge the fee set forth in 37 C.F.R. § 1.17(p) to Deposit Account 06-1510.

**CONTENT OF INFORMATION DISCLOSURE STATEMENT 37 C.F.R. § 1.98**

The present information disclosure statement includes any information noted above, along with a Form PTO-1449 (2 pages).

If there are any questions regarding this submission, please contact the undersigned.

**CERTIFICATE OF FACSIMILE**

I hereby certify that this correspondence is being sent to the U.S. Patent and Trademark Office via facsimile at (571) 273-8300 on September 27, 2005.

  
Lauren Barberena

Respectfully submitted,

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Approved for use through 07/31/2006. OMB 0651-0031

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Substitute for form 1449/PTO

# INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(Use as many sheets as necessary)

Sheet 1 of 2

## Complete if Known

Application Number	10/757,873
Filing Date	January 14, 2004
First Named Inventor	Donald J. Lewis
Art Unit	3748
Examiner Name	Binh Tran
Attorney Docket Number	81096424

## U. S. PATENT DOCUMENTS

Examiner Initials*	Cite No. <sup>1</sup>	Document Number Number-Kind Code <sup>2</sup> (if known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		US- 4,729,220	03-08-1988	Terasaka et al	
		US- 6,158,063	10-27-1992	Hosoda et al	
		US- 5,335,538	08-09-1994	Blischke et al	
		US-			
		US- 5,475,975	12-19-1995	Nasu	
		US- 5,878,567	03-09-1999	Adamczyk, Jr. et al	
		US- 5,956,941	09-28-1999	Cullen et al	
		US- 5,966,930	10-19-1999	Hatano et al	
		US- 6,089,017	07-18-2000	Ogawa et al	
		US- 6,092,369	07-25-2000	Hosogai et al	
		US- 6,116,021	09-12-2000	Schumacher et al	
		US- 6,185,933	02-13-2001	Tsuzuki et al	
		US- 6,272,850	08-14-2001	Grant et al	
		US- 6,282,889	09-04-2001	Kakuyama et al	
		US- 6,314,724	11-13-2001	Kakuyama et al	
		US- 6,318,075	11-20-2001	Gunther et al	
		US- 6,374,596	04-23-2002	Taga et al	
		US- 6,405,527	06-18-2002	Suzuki et al	
		US- 6,453,662	09-24-2002	Lewis et al	

## FOREIGN PATENT DOCUMENTS

Examiner Initials*	Cite No. <sup>1</sup>	Foreign Patent Document Country Code <sup>3</sup> Number <sup>4</sup> Kind Code <sup>5</sup> (if known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages Or Relevant Figures Appear	T <sup>6</sup>

Examiner  
SignatureDate  
Considered

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. <sup>1</sup>Applicant's unique citation designation number (optional). <sup>2</sup>See Kinds Codes of USPTO Patent Documents at [www.uspto.gov](http://www.uspto.gov) or MPEP 901.04. <sup>3</sup>Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>4</sup>For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>5</sup>Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. <sup>6</sup>Applicant is to place a check mark here if English language translation is attached.

This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1490, Alexandria, VA 22313-1450.

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